

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA

NOTICE CONCERNING WAIVER OF JUDICIAL DISQUALIFICATION

Canon 3D of the Code of Conduct provides (with exceptions not pertinent to this case) that when a judge is disqualified in a proceeding because "the judge's impartiality might reasonably be questioned," the judge may participate in the proceeding if all the parties and lawyers, after notice of the basis for the disqualification, agree in writing to waive the disqualification under a procedure independent of the judge's participation. Unless a waiver is obtained from all parties and all counsel, Judge Coody intends to disqualify in this proceeding because of these circumstances:

During the pendency of this case, Mr. Michael Quinn, a named partner in the law firm representing the plaintiff, was engaged to represent Judge Coody's daughter in an employment dispute. This daughter is an adult, is not dependent upon Judge Coody and does not reside in Judge Coody's household. The employment dispute was concluded by mutual agreement prior to any legal action being filed, and Mr. Quinn's representation of Judge Coody's daughter is now concluded. During the period of the representation, Judge Coody has taken no action in this case.

If you and your client(s) wish to waive the judge's disqualification, please sign the enclosed form to that effect and return to me within 15 days of the date of this Notice. **The form should not be sent to the judge and copies should not be sent to other counsel.** If all parties and all counsel waive disqualification, this Notice and all responses will be made part of the record, as required by Canon 3D, and the judge will continue participation in the proceeding. If a waiver is not received from all parties and all counsel, any responses will be kept under seal by the clerk and not shown to the judge, nor will the judge be informed of the identity of any party or lawyer who declined to waive the disqualification. If the disqualification is not waived, the case will be reassigned to another judge.

This form must be signed and returned to the US District Court Clerk:

By mail: US District Court Clerk, PO Box 711, Montgomery, AL 36101
By fax: 334.954.3615
Or by e-mail: Debbie_Hackett@almd.uscourts.gov

so that the Clerk receives the form **NOT LATER THAN JUNE 16, 2006.**

- To WAIVE DISQUALIFICATION, sign the upper portion of the enclosed form.
- To request reassignment, sign the lower portion of the enclosed form.

**DO NOT E-FILE THE ENCLOSED WAIVER/REQUEST FOR REASSIGNMENT FORM.
SEND TO THE CLERK'S OFFICE BY MAIL, FAX, OR E-MAIL.**

This notice was transmitted on the 2nd day of June, 2006.

/s/ Debra P. Hackett
DEBRA P. HACKETT, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

Lisa Minton,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 1:05cv878-CSC
)	
Trumbull Bottled Water, Inc.,)	
)	
Defendant.)	

WAIVER OF JUDICIAL DISQUALIFICATION

In accordance with Canon 3D of the Code of Conduct, having received notice that Judge Coody's "impartiality might reasonably be questioned" in this case, the undersigned party or parties to the above-captioned civil matter, hereby **WAIVE** in writing Judge Coody's disqualification.

Date

Signature

Counsel For (**print** names of all parties)

Address, City, State Zip Code

Telephone Number

- or -

REQUEST FOR REASSIGNMENT

The undersigned party or parties hereby **decline to waive** Judge Coody's disqualification and request that the case be reassigned.

Date

Signature

Counsel For (**print** names of all parties)

Address, City, State Zip Code

Telephone Number

REPLY DEADLINE IS JUNE 16, 2006

****DO NOT ELECTRONICALLY FILE THIS. ****

Send to the Clerk's Office by Mail: PO Box 711, Montgomery, AL 36101,
or fax it to 334.954.3615 or e-mail to Debbie_Hackett@almd.uscourts.gov